

Newlands Girls' School: Scheme of Delegation



Key points and summary

This document outlines:

- The requirements of the Articles of Association regarding delegation
- The principles of decision making within the Academy Trust
- The scheme of delegation within the Academy Trust
- The respective roles of the Governors and the Headteacher

Approved by:	Governing Body
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Next Review Date:	September 2024
Responsibility for Review:	Governing Body

1. Introduction and statement of intent

1. The Academy Trust believes that:
 - a. Strategic / policy decisions regarding the whole school should be taken by Governors
 - b. Operational and managerial decisions should be delegated to the Headteacher
 - c. The Headteacher should delegate operational decisions with a view to keeping decision making as close to the operational impacts as possible and to ensure staff feel empowered to lead their areas of responsibility

2. Scope and applicability

2. This policy outlines the framework for decision making within the Academy Trust. It applies to all Governors and staff.

3. The Articles of Association

3. The following are the relevant clauses from the Articles of Association that outline what can, and can not, be delegated.

- Clause 93: “Subject to provisions of the Companies Act 2006, the Articles and to any directions given by special resolution, the business of the Academy Trust shall be managed by the Trustees who may exercise all the powers of the Academy Trust.”
- Clause 100: “Subject to these Articles, the Trustees may establish any committee they determine necessary”
- Clause 101: “Subject to these Articles, the constitution, membership and proceedings of any committee shall be determined by the Trustees. The establishment, terms of reference, constitution and membership of any committee of the Trustees shall be reviewed at least once in every twelve months. The membership of any committee of the Trustees may include persons who are not Trustees, provided that a majority of members of any such committee shall be Trustees. No vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of members of the committee present are Trustees.”
- Clause 104: “The functions, duties and proceedings of committees shall be subject to regulations made by the Trustees from time to time.”
- Clause 105: “The Trustees may delegate any of their powers or functions (including the power to sub-delegate) to any Trustee, committee, the Principal or any other holder of an executive office. Any such delegation shall be made in writing and subject to any conditions the Trustees may impose, and may be revoked or altered.”
- Clause 105A: “A Trustee, committee, the Principal or any other holder of an executive office to whom a power or function of the Trustees is delegated under Article 105 may further sub-delegate those powers or functions (or any of them) to a further person. Where any power or function of the Trustees is sub-delegated by any person to whom it has been delegated, that person must inform the Trustees as soon as reasonably practicable which powers and functions have been further delegated and to whom, and any such sub-delegation shall be made subject to any conditions the Trustees may impose, and may be revoked or altered.”
- Clause 106: “Where any power or function of the Trustees has been exercised by any committee, any Trustee, the Principal or any other holder of an executive office, or a person to whom a power or function has been sub-delegated under Article 105A, that person or committee shall report to the Trustees in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Trustees immediately following the taking of the action or the making of the decision.”
- Clause 107: “The Trustees shall appoint the Principal of the Academy. The Trustees may delegate such powers and functions as they consider are required by the Principal for the internal organisation,

management and control of the Academy (including the implementation of all policies approved by the Trustees) and for the direction of the teaching and curriculum at the Academy.”

4. The Governing Body will not delegate any functions relating to:
 - the constitution of the Trust;
 - the appointment or removal of the chair and vice-chair of the Governing Body;
 - the appointment of the governance professional to the Governing Body;
 - the suspension of Trustees;
 - the establishment of committees.
5. The Academy Trust uses the terms:
 - Trustees or Governors to describe individuals who have the right to vote at Governing Body meetings and who are registered as Trustees at Companies House (and the Governing Body is the Board of Trustees)
 - Headteacher rather than Principal and who is the legal Headteacher of the academy.

4. Responsibilities under the policy

Full Governing Body

6. The Governing Body is able to exercise all of the powers of the Academy Trust. It is responsible for the performance of the Trust. Accordingly, it will approve the policies for the Trust.
7. The Governing Body will offer support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but may also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best solution for the Trust. For the avoidance of doubt, the Governing Body may determine any issue within its legal powers, including issuing directions to any committees and any staff (including the Headteacher).
8. The Governing Body must designate a named individual as its Accounting Officer. The Accounting Officer is responsible to the Governing Body for the overall management of the Trust and personally responsible to Parliament for the resources under their control. The Headteacher is the Accounting Officer.
9. In accordance with the requirements of the Academies Financial Handbook, the Trust shall appoint a Chief Finance Officer (CFO) to lead the Finance Department. The Bursar is the CFO.
10. The Governing Body will adhere to the standards and practices of its Code of Conduct and the Conflict of Interest Policy, which will it will approve annually.

Governing Body Committees

11. The Governing Body may establish a structure of Committees as appropriate. These Governing Body Committees will act in an advisory capacity to the Governing Body except where powers have been specifically delegated to them by the Governing Body.
12. The Governing Body shall appoint the following committees:
 - a. Quality of Education
 - b. Resources, Risk & Audit
 - c. Community & Well-Being
 - d. Salaries
 - e. Headteachers’ Review Panel
13. The terms of reference for each committee are linked in Appendix Two.
14. The Governing Body will meet at least three times a year, with additional meetings if required. The functions and proceedings of the committees are subject to regulations made by the governors from time to time pursuant to the powers contained in the Articles of Association.

15. Each committee will elect a Chair from amongst its number. The Chair of the committee must be a Governor. Employees of the trust cannot be Chair of a committee. Each committee will establish its clerking arrangements.
16. Any committee may co-opt additional committee members who are not Governors, but Governors must constitute a majority of the committee. The committee will decide whether non-governor members are able to vote, but Governors must be a majority of those individuals voting on any particular issue.
17. A committee may choose to establish its own committees; any such committee will act in an advisory capacity to the committee that established it unless it has been formally delegated powers.
18. The following is the anticipated annual schedule of meetings:

Term 1	Term 3	Term 5
FGB (Sept last 2 weeks) Quality of Education Resources, Risk & Audit	Quality of Education Resources, Risk & Audit	Quality of Education Resources, Risk & Audit
Term 2	Term 4	Term 6
Resources, Risk & Audit Salaries (November) Headteacher's Review Panel Community and Well-Being FGB / AGM (early December)	FGB Community and Well-Being	Community and Well-Being June FGB July FGB

Each committee will determine the dates and timings of its meetings for the academic year to maximise attendance and progress.

Headteacher and staff

19. The Headteacher are responsible for the internal organisation, management and control of the academy, for advising on and implementing the Trust's strategic framework, for the implementation of all policies approved by the Governors and for the direction of the teaching and the curriculum at the Academy. For these purposes the Governors shall delegate those powers and functions required by the Headteacher.
20. The Headteacher will formulate aims and objectives and policies and targets for the Governing Body to consider, and to report to the Governing Body on progress at each meeting in accordance with a schedule drawn up annually with the Chair of the Governing Body. The Headteacher will work closely with the senior leadership team to this end.
21. The Headteacher and staff are accountable to the Governing Body for the academy's performance. The Governing Body will be prepared to explain its decisions and actions to anyone who has a legitimate interest. This may include staff, pupils and parents as well as the local authority or the Secretary of State.
22. The Headteacher will comply with any reasonable direction by the Governing Body when acting on the Trust's behalf.
23. The Headteacher will agree and monitor appropriate delegations of authority with other staff.

5. Appendices

Appendix One: Policies

Appendix Two: Committee Terms of Reference

Appendix Three: Decision and responsibility matrix

Appendix Four: Financial expenditure delegations

Appendix One: Policies

Newlands' list of policies and the approval process for them takes into account Department for Education guidance:

<https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts/statutory-policies-for-schools-and-academy-trusts>

This includes which policies are compulsory, who can approve them and how frequently they should be reviewed.

The spreadsheet with the list of the school's policies is stored in OneDrive under GovsShared/Key Documents. This also provides a full description of the approval and publication process for policies.

- [List of Policies](#)

Appendix Two: Committee Terms of Reference

General notes

All committees have the following responsibilities. To:

- receive reports from members of staff about matters relating to any of the issues listed in their terms of reference
- contribute to, monitor and evaluate relevant parts of the academy or Trust self-assessment and School Development plan
- contribute to, monitor and evaluate the policies allocated to them, reporting or making recommendations to the Governing Body as appropriate.
- consider recommendations from relevant external reviews for example audit, Ofsted or local authority review, to agree the actions needed to address any issues identified and to monitor and evaluate regularly the implementation of any plan agreed, reporting or making recommendations to the Governing Body as appropriate.
- consider the views of students when making strategic decisions that will impact on them
- consider the impact on equality, and act with regard to the equality duty at all times. This includes referencing the protected characteristics as appropriate and particularly when making recommendations and when reviewing/drafting policies.
- take appropriate action on any other relevant matter referred by the governing body.

The General Equality Duty

In accordance with the Equality Act, whereby the Academy Trust is a public body, all committees must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The following are the protected characteristics within the Equality Act:

- Age (not pupils)
- Disability
- Ethnicity and race
- Gender
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Religion and belief
- Sexual identity and orientation

Committee Terms of Reference

Terms of Reference are stored in OneDrive under GovsShared/Key Documents/Terms of Reference

- [Full Governing Body](#)
- [Resources, Audit & Risk Committee](#)
- [Quality of Education Committee](#)
- [Community & Well-Being Committee](#)
- [Salaries Sub-Committee](#)
- [Headteacher's Review Panel](#)

Appendix Three: Decision Matrix

The following table sets out all the main academy functions. For each function it suggests a decision level. The decision levels are:

- **GB** - Governing Body
- **Comm** - Governing Body Committee which has delegated powers
- **HT**- Headteacher
- **AO** – Accounting Officer
- **CFO** – Chief Financial Officer
- Tick: ✓ Recommended level(s) of delegation or where law assigns specific responsibility

A = Accountable via delegated powers from Governing Body

Note: Actions taken by a properly constituted committee, or delegated to an individual governor or to the Headteacher, are taken on behalf of the Governing Body. The Governing Body will remain accountable.

	GB	Comm	HT	CFO	Other
Governance					
Appointing / removing the Chair and Vice-Chair of Governing Body	✓				
Appointing / dismissing the governance professional	✓				
Ensure GB meets at least 3 times a year	✓				Governance Professional
Appointing the Chair of a committee		✓			Each committee
Appointing and removing co-opted Trustees	✓				
Appointing Member-appointed Trustees					Members
Removal of Trustees					Members
Establishing additional committees or Working Groups etc (including Terms of Reference and membership)	✓	✓			
Reviewing the committee structures and any delegated powers at least annually	✓				
Approving the Scheme of Delegation	✓				
Approving the Financial Regulations and Procedures	✓	✓			
Approving the safeguarding policies and procedures	✓				
Approving the Health and Safety policies and procedures	✓				
Approving the “policy grid” for the Trust for all other policies, including the delegations for committees	✓				
Approving and circulating the Trustee Report	✓				
Determine whether other school(s) should join the Trust	✓				
Propose and determine changes to the school age-range, or the addition / removal or nursery or SEND provision	✓				

	GB	Comm	HT	CFO	Other
Financial and Operational Management					
Approving financial procedures in accordance with legal and DfE / EFSA requirements and best practice	✓				
Ensuring that the financial procedures are implemented effectively		✓	AO = A	✓	
Maintaining accurate, reconciled and up to date records to provide financial and statistical information			A	✓	Assistant Bursar day to day
Establishing and maintaining asset registers in accordance with financial procedures				✓	Assistant Bursar day to day
Ensuring that any disposal of assets complies with the financial procedures		✓		✓	
Maintaining a register or pecuniary and business interests of governors and staff				✓ for Staff	Governance Professional
Establishing and maintaining procedures for effective audit in accordance with legal and DfE requirements		✓			
Receiving reports from audit inspections and the resulting Action Plan		✓			
Ensuring appropriate insurance arrangements in accordance with the financial procedures	A			✓	
Approving the budget each financial year in accordance with DfE timeframes	✓				
Monitoring and reviewing the Trust's actual financial performance throughout the year and at year end	A	✓	✓	✓	
Ensuring that all transfers between budget headings (virements) comply with the financial procedures			A	✓	
Establishing and implementing procedures for staff to claim expenses	A		AO	✓	
Approving a lettings policy and fees		✓			
Ensuring that any writing off of debts complies with the financial procedures		✓		✓	
Ensuring that all procurement processes and resulting contracts and agreements conform with the financial procedures	A	✓	✓	✓	
Authorising payments on receipt of correct invoices where goods have been received to the correct price, quantity and quality standard				✓	
Retaining the appropriate financial records, and storing them appropriately, to comply with legal and / or DfE requirements				✓	
Approving applications for Business / Credit Cards		✓			
Complying with VAT and CIT regulations	A			✓	
Investigating potential financial irregularities (not involving HT or CFO)			✓	✓	
Investigating financial irregularities (involving HT or CFO)	✓				
Establishing a Buildings Maintenance strategy		✓		✓	
Ensuring compliance with Health and Safety legislation	A		✓	✓	Facilities Manager
Approving the academy day and year	A		✓		

HR / Staffing					
Approving the overall staffing structure for the trust	✓				

	GB	Comm	HT	CFO	Other
Approving the overall staffing for a school		✓			
Managing payroll				✓	
Appointing the Headteacher and CFO	✓				
Performance management of the HT		✓			
Performance management of the CFO			✓		
Approving the commencement of recruitment for posts other than posts appointed by the GB that are within the approved staffing structure (i.e. like for like replacements or approved new posts)			✓		
Appointing staff who directly report to the HT	Involved		✓		
Appointing other teaching staff (including NQTs)			✓		Senior Leadership Team
Appointing other support staff			✓		CFO involved as necessary
Approving HR policies		✓			
Implementing, monitoring, reviewing and proposing amendments to the HR policies			✓	✓	
Suspending (or ending suspension of) or dismissing the HT or CFO	✓				
Suspending (or ending suspension of) staff besides the HT or CFO			✓		
Dismissing staff besides the HT or CFO			✓		
Approving any leaving payments (redundancy, dismissal, early retirement) in accordance with trust policy			✓		

Student development					
Excluding a pupil (fixed term)			✓		
Excluding a pupil (permanently)			✓		
Consulting on and determining an admissions policy for the academy	✓		✓		
Determining who will be offered a place in accordance with the admissions policy (including in-year admissions)					School will continue to use the RBWM Admissions Service
Objecting to an EHCP naming the academy			✓		
Ensuring that there is a daily act of collective worship where required by the Funding Agreement			✓		
Ensuring that the curriculum complies with the legal and Funding Agreement requirements			✓		
Approval of educational policies for the academy (e.g. SEND, behaviour, sex education, home-school agreements, charging policy, strategy for Pupil Premium Grant etc)	✓	✓	✓		
Implementation of educational policies			✓		
Receiving any external assessments of academy performance and developing any associated Action Plan	✓	✓	✓		
Ensuring the provision of free school meals to eligible pupils			✓	✓	
Approving the progress and attainment targets for the school	✓				

Appendix Four: Financial expenditure delegations

This is a summary of the expenditure delegations. Please see the full Financial Regulatory Manual for further information.

Role	Bank forms and government returns	Cheque Signing / BACS Approval	Purchasing, Procurement and Contract Processing	Budget / Virements
Governing Body	<ul style="list-style-type: none"> • Approve government returns • Approve banking arrangements 		<ul style="list-style-type: none"> • Approve all orders and contracts above £200k • Approve waivers requiring the specified number of quotations / tenders for contracts • Approve annual staffing establishment • Chair of GB: Approve expenses of the Headteacher 	<ul style="list-style-type: none"> • Approve and monitor annual revenue and capital budget • Approve a 3 year budget plan
Resources, Risk & Audit Committee	<ul style="list-style-type: none"> • Approve bank mandate for school account 		<ul style="list-style-type: none"> • Approve establishment of new permanent staff posts • Approve orders and contracts between above £100k, and approve any necessary procurement waivers for urgent contracts above £100k 	<ul style="list-style-type: none"> • Monitor revenue and capital budgets • Approve virements/ journals over £200k
Headteacher		<ul style="list-style-type: none"> • Cheque / BACS approver / signatory 	<ul style="list-style-type: none"> • Authorise monthly payroll (with CFO) and end of month financial documents • Approve purchase orders and contracts from £2k to £100k • Second signature/ approver for all payments, BACS or cheques • Approve staff expenses • Authorise new starts and leavers / payroll amendments including timesheets, additional hours, mileage & expense claims • Approve establishment of new temporary staff posts 	<ul style="list-style-type: none"> • Approve virements/ journals up to £200k
Deputy Heads		<ul style="list-style-type: none"> • Cheque / BACS approver / signatory 	<ul style="list-style-type: none"> • Authorise new starts and leavers / payroll amendments including timesheets, additional hours, mileage & expense claims • Authorise payroll and end of month financial documents in the absence of the Headteacher • Authorise purchase orders and contracts up to £15k in the absence of the Headteacher • Second signature/ approver of all payments , BACS or cheques in the absence of the Headteacher 	
Assistant Heads			<ul style="list-style-type: none"> • Authorise timesheets, additional hours, mileage & expense claims 	
School Business Manager (CFO)	<ul style="list-style-type: none"> • Prepare and submit returns • Prepare and submit VAT returns 	<ul style="list-style-type: none"> • Cheque / BACS approver / signatory 	<ul style="list-style-type: none"> • First signature / approver of all payments, BACS or cheques requiring 2 signatories • Authorise end of month financial documents (with HT) • Check payroll and sign off with the HT (or DH) • Authorise orders up to £2k 	<ul style="list-style-type: none"> • Approve virements/ journals up to £20K

Role	Bank forms and government returns	Cheque Signing / BACS Approval	Purchasing, Procurement and Contract Processing	Budget / Virements
			<ul style="list-style-type: none"> • Certify goods receipt and authorise invoices for payment up to £2k • Process payroll adjustments 	
Bursar			<ul style="list-style-type: none"> • Check payroll and sign off with the HT (or DH) • Authorise end of month financial documents with the HT in the absence of the School Business Manager • Authorise end of month financial documents with the HT in the absence of the School Business Manager • First approver of all BACS requiring 2 signatories in the absence of the School Business Manager 	
Budget Holders (HODs & HOYs)			<ul style="list-style-type: none"> • Certify goods receipt and authorise invoices for payment for own budget allocations • Authorise petty cash for own budget allocations 	